

From: James Boyle
To: schumannng@moss-barnett.com
Date: 3/8/02 4:32PM
Subject: PRIVILEGED AND CONFIDENTIAL

March 8, 2002

Glen E. Schumann, Esq.
Moss & Barnett
4800 Wells Fargo Center
Minneapolis, MN 55402-4129

-----CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION AND
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U.S. Patent Application Serial No. 09/887,528
Our Reference: 07744-0061
Your reference: 41822.2

Dear Glen:

Thank you for your March 7, 2002 facsimile and for speaking on the telephone with me yesterday and today. Further to our conversation, I have attached "redlined" and "nonredlined" versions of the Declaration and Assignment including modifications relative to the documents we initially forwarded to you and Mr. Ekhaus.

Note that the language in the enclosed Declaration beginning at paragraph 2 is primarily determined by Statute and by the Rules. Accordingly, we feel that any substantive change in this language may require us to proceed in accordance with 37 CFR 1.47 without Mr. Ekhaus' signature. We are suggesting the language in the first paragraph as a means to address the concerns you expressed in your March 7, 2002 facsimile and in order to avoid the possibility expressed above.

Furthermore, with respect to the enclosed Assignment, and without waiving Net Perceptions' right to assert aspects of the deleted text, we are willing to accept the enclosed version. Note that we have included a paragraph similar to that used in the Declaration.

I look forward to discussing this matter with you and hope that we have satisfactorily addressed your client's concerns.

With best regards.

Sincerely,

James J. Boyle
Finnegan, Henderson, Farabow,

Garrett & Dunner, L.L.P.
(202)408-4141
james.boyle@finnegan.com